

Message Text

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PAGE 01 PARIS 05016 191654Z

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ACTION L-03

INFO OCT-01 AF-06 EUR-12 ISO-00 JUSE-00 DEAE-00 SNM-02

SCA-01 CIAE-00 SSO-00 /025 W
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FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 7988

AMEMBASSY DAKAR

C O N F I D E N T I A L PARIS 05016

E.O. 11652: GDS

TAGS: PFOR, SNAR, SG, CPRS

SUBJECT: UNITED STATES V. ORSINI

REF: STATE 036551 AND 027339

1. EMBASSY INFORMED CHAYET OF FRENCH FOREIGN OFFICE
FEB. 6 OF STATUS ORSINI TRIAL DESCRIBED STATE 027339.
HE WAS GRATEFUL.

2. WE HAVE NOW RECEIVED STATE 036551 INDICATING DE-
POSITIONS WILL BE TAKEN IN PARIS AND SENEGAL. DEA
HAS INFO TO EFFECT THAT DEFENSE ATTORNEY, ASSISTANT U.
S. ATTORNEY AND OTHERS WILL BE COMING TOPARIS ON OR
ABOUT FEB. 23 TO TAKE DEPOSITIONS FROM MARIE APPOLINE
SERGE AND ORSINI'S WIFE AND BROTHER, PIERRE. ACCORDING
TO DEA, JUDGE WANTS DEPOSITIONS TAKEN IN EMBASSY,
APPARENTLY BY VIDEO TAPE WHICH WE GATHER WOULD NOT RE-
QUIRE PARTICIPATION OR CERTIFICATION BY CONSULAR OFFICER

3. DEA H.'S INFORMED FRENCH NARCOTICS DIRECTOR LE MOUEL
THAT DEPOSITIONS WILL BE TAKEN IN PARIS. HE HAD NO
OBJECTIONS. HOWEVER EMBASSY IS CONCERNED LEST FAILURE
TO INFORM FOREIGN MINISTRY IN ADVANCE MIGHT PREJUDICE
LATTER'S WILLINGNESS TO COOPERATE, PARTICULARLY
BY WITHHOLDING THREATENED FORMAL PROTESTS AT DAKAR AND
WASHINGTON. IT WILL BE RECALLED THAT CHAYET HAD
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PAGE 02 PARIS 05016 191654Z

EXPRESSED AN INTEREST IN BEING KEPT INFORMED ABOUT

CASE.

4. WHEN QUERIED BY DEA, LE MOUEL SAID THERE WAS NO NEED TO INFORM ANY OTHER AGENCY OF FRENCH GOVERNMENT SINCE LETTERS ROGATORY WERE NOT INVOLVED AND SINCE DEPOSITIONS WERE PURELY PRIVATE MATTER UNDERTAKEN AT REQUEST OF DEFENSE ATTORNEY.

5. IN SPITE OF WHAT LE MOUEL SAYS, WE BELIEVE IT WOULD BE WISE TO ADVISE FOREIGN OFFICE INFORMALLY IN ADVANCE EVEN AT THE RISK THAT THIS MIGHT CONCEIVABLY GIVE RISE TO SOME PROCEDURAL OBSTACLES. THIS RISK SEEMS TO US TO BE SLIGHT SINCE FONOFF IS PRIMARILY CONCERNED WITH PROTECTION ASPECTS OF CASE, AND DEFENSE ATTORNEY APPARENTLY BELIEVES DEPOSITIONS TAKEN IN FRANCE WILL SERVE HIS CLIENT'S INTERESTS.

6. REQUEST DEPARTMENT AUTHORIZE US TO TELL FONOFF OF PLANS TO TAKE DEPOSITIONS IN FRANCE AND IN DAKAR. CONSUL GENERAL HAS APPOINTMENT WITH CHAYET'S DEPUTY FEB. 20 AT 1630 ON OTHER MATTERS AND HOPES DEPARTMENT CAN REPLY BY THAT TIME.
RUSH

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